

House File 2528

H-8466

1 Amend House File 2528 as follows:

2 1. Page 2, after line 7 by inserting:

3 <Sec. _____. Section 690.2, Code 2009, is amended to
4 read as follows:

5 **690.2 Finger and palm prints — photographs — duty**
6 **of sheriff and chief of police.**

7 The sheriff of every county, and the chief of
8 police of each city regardless of the form of
9 government thereof, shall take the fingerprints of
10 all unidentified dead bodies in their respective
11 jurisdictions and all persons who are taken into
12 custody for the commission of a serious misdemeanor,
13 aggravated misdemeanor, or felony and shall forward
14 such fingerprint records on such forms and in such
15 manner as may be prescribed by the commissioner of
16 public safety, within two working days after the
17 fingerprint records are taken, to the department of
18 public safety and, if appropriate, to the federal
19 bureau of investigation. Fingerprints may be taken of
20 a person who has been arrested for a simple misdemeanor
21 subject to an enhanced penalty for conviction of a
22 second or subsequent offense. In addition to the
23 fingerprints as herein provided, any such officer may
24 also take the photograph and palm prints of any such
25 person and forward them to the department of public
26 safety. If a defendant is convicted by a court of
27 this state of an offense which is a simple misdemeanor
28 subject to an enhanced penalty for conviction of a
29 second or subsequent offense, a serious misdemeanor,
30 an aggravated misdemeanor, or a felony, the court
31 shall determine whether such defendant has previously
32 been fingerprinted in connection with the criminal
33 proceedings leading to the conviction and, if not,
34 shall order that the defendant be fingerprinted and
35 those prints submitted to the department of public
36 safety. The court shall also order that a juvenile
37 adjudicated delinquent for an offense which would be an
38 offense other than a simple misdemeanor if committed
39 by an adult, be fingerprinted and the prints submitted
40 to the department of public safety if the juvenile
41 has not previously been fingerprinted. The taking of
42 fingerprints for a serious misdemeanor offense under
43 chapter 321 or 321A is not required under this section.
44 Fingerprints shall not be taken from an applicant for a
45 permit to carry a weapon pursuant to section 724.10.>

46 2. Page 3, line 8, after <permit.> by inserting
47 <Such permits, including renewal permits and duplicate
48 permits, shall not be issued for a particular weapon
49 and shall not contain information about a particular
50 weapon including the make, model, or serial number of

1 the weapon or any ammunition used in that weapon.>

2 3. Page 3, line 13, after <law.> by inserting <The
3 department of public safety or the sheriff's office of
4 the county in which an application for a permit was
5 made under this section shall destroy or dispose of all
6 information collected about a particular weapon prior
7 to July 1, 2010.>

8 4. Page 6, line 33, after <chooses.> by inserting
9 <However, the application shall not require and
10 the sheriff shall not take the fingerprints of the
11 applicant.>

12 5. Page 8, after line 11 by inserting:

13 <3. Neither the sheriff nor the commissioner shall
14 require an applicant for a nonprofessional permit to
15 carry weapons, including a renewal permit or duplicate
16 permit, to provide information identifying a particular
17 weapon in the application including the make, model,
18 or serial number of the weapon or any ammunition used
19 in that particular weapon. The department of public
20 safety or the sheriff's office of the county in which
21 an application for a permit was made under this section
22 shall destroy or dispose of all information collected
23 about a particular weapon prior to July 1, 2010.>

24 6. Page 8, line 12, by striking <3.> and inserting
25 <4.>

26 7. By renumbering as necessary.

WINDSCHITL of Harrison